

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

STEPHEN KERSHNAR,

*Plaintiff,*

v.

STEPHEN H. KOLISON, JR, *et al.*,

*Defendants.*

Case No.: 1:23-cv-00525-LJV

**PLAINTIFF'S FOURTH AMENDED EXHIBIT LIST**

Adam B. Steinbaugh\*  
CA Bar No. 304829  
Kelley Bregenzer  
NY Bar No. 5987482  
FOUNDATION FOR INDIVIDUAL  
RIGHTS & EXPRESSION  
510 Walnut St.; Ste. 1250  
Philadelphia, PA 19106  
Tel: (215) 717-3473  
Email: adam@thefire.org  
Email: kelley.bregenzer@thefire.org

Barry N. Covert, Esq.  
LIPSITZ GREEN SCIME CAMBRIA LLP  
42 Delaware Ave.; Ste. 120  
Buffalo, NY 14202  
Tel: (716) 849-1333  
Email: bcovert@lglaw.com

Robert Corn-Revere\*  
D.C. Bar No. 375415  
Joshua T. Bleisch\*  
D.C. Bar No. 90001269  
FOUNDATION FOR INDIVIDUAL  
RIGHTS & EXPRESSION  
700 Pennsylvania Avenue SE; Ste. 340  
Washington, DC 20003  
Tel: (215) 717-3473  
Fax: (267) 573-3073  
Email: bob.corn-revere@thefire.org  
Email: josh.bleisch@thefire.org

\* Admitted *pro hac vice*

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

**THIRD AMENDED EXHIBIT LIST**

**Case No.: 23-cv-525**  
**Date: September 13, 2023**

**(X) Plaintiff**  
**( ) Defendants**

Exhibit No.	Description	Marked for Identification	In Evidence
1	Professor Kershner's biography as published on SUNY Fredonia's website		
2	Screenshot of February 1, 2022 Twitter thread by user @LibsofTikTok		
3	President Kolison's February 1, 2022 statement, as published on the SUNY Fredonia Twitter account		
4	President Kolison's February 3, 2022 statement, as published on the SUNY Fredonia Twitter account		
5	Email from Dispatcher Alexandra Best-Kelm to SUNY Fredonia Police Chief Brent Isaacson sent on February 1, 2022		
6	Email from SUNY Fredonia Police Chief Brent Isaacson sent on February 2, 2022		
7	Undated email sent by Police Chief Isaacson		
8	Email from SUNY Fredonia Interim Chief Information Officer Benjamin Hartung sent on February 3, 2022		
9	Undated email sent by Police Chief Isaacson		
10	January 8, 2023 FOIL request to the New York State Police		
11	January 9, 2023 FOIL response from the New York State Police		
12	January 8, 2023 FOIL request to the Fredonia Village Police Department		

	and the Department's January 9, 2023 response		
13	April 14, 2023 FOIL request to the Chautauqua County Sheriff Records Division		
14	June 6, 2023 SUNY Fredonia police blotter list of incidents after November 7, 2021		
15	May 12, 2023 Google Trends search results for the terms "kershnar" and "SUNY fredonia" and showing "their interest over time" between October 1, 2021, and May 7, 2023.		
16	"Display Course Search Results" list of available Philosophy classes for the Fall 2023 semester, as it appeared on June 12, 2023		
17	Stephen Kershnar email to Brent Isaacson, Feb. 1, 2022		
18	Maria Carroll letter to Stephen Kershnar, Feb. 3, 2022		
19	Maria Carroll email to Stephen Kershnar, Feb. 3, 2022		
20	David Starrett letter to Stephen Kershnar, Aug. 24, 2022		
21	David Starrett letter to Stephen Kershnar, Sept. 9, 2022		
22	David Starrett letter to Stephen Kershnar, Nov. 1, 2022		
23	FBI Agent Chad Artrip email to Stephen Kershnar, Jan. 5, 2023		
24	Email from David Rankin, April 3, 2023		
25	February 3, 2022 FOIL Request		
26	April 26, 2023 FOIL Request		
27	April 25, 2023 FOIL Request		

28	Sample documents from March 2022 FOIL production [ECF No. 27-7]		
29	Email from Amy Beers to Adam Steinbaugh, Apr. 4, 2022		
30	Email from Amy Beers to Adam Steinbaugh, June 2, 2022		
31	Letter from Adam Steinbaugh to Aaron Gladd, Aug. 19, 2022		
32	Letter from Aaron Gladd to Adam Steinbaugh, Sept. 6, 2022		
33	Amy Beers email to Stephen Kershner, Nov. 16, 2022		
34	Email from Samantha Gleason to Adam Steinbaugh, April 27, 2023		
35	Email from Amy Beers to Adam Steinbaugh, June 2, 2023 [P0000828]		
36	Letter from “FOIL Appeals Office” to Adam Steinbaugh, July 12, 2023		
37	Michelle A. Cubellis, et al., Sex Offender Stigma: An Exploration of Vigilantism against Sex Offenders		
38	Jan. 31, 2017 Statement by American Association of University Professors: Targeted Online Harassment of Faculty		
39	Statement by American Association of University Professors: Taking a Stand Against Harassment, Part of the Broader Threat to Higher Education, September 17, 2021		
40	Hans-Joerg Tiede, et al., Data Snapshot: Whom Does Campus Reform Target and What Are the Effects?		
41	Patrick Lakamp, <i>SUNY Fredonia professor who appeared to condone</i>		

	<i>pedophilia wants back on campus</i> , Buffalo News, June 15, 2023		
42	Brent Isaacson email re: police report, Feb. 1, 2022		
43	Brent Isaacson email to Stephen Kershner, Feb. 2, 2022, 9:55 p.m.		
44	Brent Isaacson and Stephen Kershner emails, Jan. 4, 2023		
45	Kendall Brooks Facebook post, Feb. 3, 2022		
46	University at Buffalo, May 2023 Romanell Center Bioethics Workshop		
47	Screenshot of SUNY Fredonia Twitter account		
48	SUNY Fredonia Campus Safety Committee		
49	SUNY Fredonia, <i>Door security enhancements increase campus-wide safety</i> , Apr. 6, 2023		
50	SUNY Fredonia Emergency Operations Plan, June 20, 2016		
51	SUNY Fredonia Domestic Violence in the Workplace Policy		
52	SUNY Fredonia Keys and Campus Access Control Policy		
53	SUNY Fredonia Workplace Violence Prevention Policy and Program		
54	SUNY Fredonia, Security in Residence Halls		
55	SUNY Fredonia, Smart Classrooms in Kasling Hall and Grissom Hall		
56	SUNY Gender-Based Violence and the Workplace Policy		
57	Tony Olivo Bio		
58	John K. Wilson Résumé		
59	Corporate Screening & Investigative Group, LLC: Sample Costs for Campus Security Components		
60	Declaration of Brent S. Isaacson with Exhibits A-F (ECF No. 13-3)		

61	A1C Partners, LLC, Open Source Intelligence (OSINT) Product, Sept. 20, 2022 [NYAG_PI_0001802–1817]		
62	Emails between Maria Carroll and Brent Isaacson, Aug. 31, 2022 [NYAG_PI_0001231]		
63	Fredonia Leader, May 3, 2023: The threats made on Thompson Hall: One semester later; Fredonia's response plan to an active shooter situation; The social psychology of violent offenders: What do students need to know?; Combatting lack of student trust in safety through education; Fredonia upgrades security by installing door locks [P0001724 - P0001730]		
64	Isaacson Memo., March 25, 2022 [NYAG_PI_0002161]		
65	Michael Metzger email re: door and Isaacson email re: panic button [NYAG_PI_0001335, 1348–49]		
66	NYAG_PI_0000304.WAV		
67	Email from Isaacson, Feb. 4, 2022 1:21 p.m. [NYAG_PI_0001357]		
68	Tracy Stenger email re: protest, Feb. 3, 2022 [NYAG_PI_0001454]		
69	Anya Kamenetz, <i>Professors Are Targets In Online Culture Wars; Some Fight Back</i> , NPR, April 4, 2018 [P0001549–1557]		
70	Press Release, FBI Releases Supplemental 2021 Hate Crime Statistics, March 13, 2023		
71	Charles Holder email, July 11, 2023 12:22 PM [NYAG_PI_0003823–3825]		
72	NYAG_PI_0000305.WAV		
73	Email from Isaacson to Kolison, et al., Feb. 3, 2022 8:34 AM [NYAG_PI_0001520–1521]		
74	Email from Adam Steinbaugh to Christopher Boyd, et al., Sept. 13, 2023		
75	Conor Friedersdorf, <i>Stripping a Professor of Tenure Over a Blog Post</i> ,		

	The Atlantic, Feb. 9, 2015 [P0000001–20]		
76	Vimal Patel, <i>At UChicago, a Debate Over Free Speech and Cyberbullying</i> , N.Y. Times, July 3, 2023 [P0000830–835]		
77	James T. Mulder, <i>Syracuse University professor receives violent threats over controversial 9/11 comments</i> , Syracuse.com, Sept. 13, 2021 [P0001690–1691]		
78	Steve Kolowich, <i>Tough Talk</i> , Chron. of Higher Educ., July 26, 2017 [P0001695]		
79	David Palumbo-Liu, <i>From the Community   Why I voted against a Committee on Academic Freedom</i> , Stanford Daily, Feb. 14, 2023 [P0001680–1683]		
80	Michael E. Mann, <i>I'm a scientist who has gotten death threats. I fear what may happen under Trump</i> , Wash. Post, Dec. 16, 2016 [P0001584–1591]		
81	Craig Miller, <i>Climate Scientist Won't Back Down Despite Threats, Harassment</i> , KQED, May 7, 2018 [P0001577–1583]		
82	Bryan Schatz, <i>Michael Mann Fought Climate Denial. Now He's Fighting Climate Doom</i> , June 11, 2020 [P0001569–1576]		
83	Penn class list [P0001723]		
84	RAVE Guardian App [P0001493–1496]		
85	Letter from Barry Covert to Alyssa Pantzer, et al., Sept. 12, 2023		
86	Campus Security and Fire Safety Report: 2021 Report [P0001437–1475]		
87	Security Camera Policy [P0001072]		
88	Fredonia Leader, Feb. 9, 2022, Important updates: Kershner situation [P0002089–2091]		

89	Feb. 2, 2022 email from Isaacson to Maria Carroll re: Physical security re: Kershner matter [NYAG_PI_0001589]		
90	Feb. 5, 2022 email from Isaacson re: records retention [NYAG_PI_0001343]		
91	A1C Services Proposal, Aug. 31, 2022 [NYAG_PI_0002046–2049]		
92	Witness Summary for John K. Wilson, Ph.D.		
93	Witness Summary for J.A. “Tony” Olivo		
94	Email from Isaacson to Husul, et al., Feb. 3, 2022 re: protest [NYAG_PI_0002024–2026]		
95	A1C Website, Leadership		
96	Feb. 2, 2022 email from Metzger to Isaacson re: Kershner conversation this morning [NYAG_PI_0001525–1526]		
97	New York State Division of Criminal Justice Services, Frequently Asked Questions Regarding Recent Changes to New York State Firearms Laws		
98	Expert Witness Report of J.A. “Tony” Olivo		
99	Expert Witness Report of John K. Wilson, Ph.D.		
100	June 15, 2023 email from Michael Kelley to Isaacson re: Article Stephen Kershner [NYAG_PI_0001166]		
101	Oct. 29, 2022 email from Maria E. Carroll to Isaacson re: Kershner: assessment [NYAG_PI_0001203–1208]		
102	Oct. 19, 2022 email from Maria E. Carroll to Isaacson re: Kershner: assessment [NYAG_PI_0001220–1221]		
103	Aug. 31, 2022 email from Richard Denholm to Isaacson re: Information Regarding A1C Partners [NYAG_PI_0001223–1239]		
104	Feb. 3, 2022 email from Tracy Stenger re: On social media, talk of a protest on Sunday in town [NYAG_PI_0001454]		



105	Declaration of Richard Denholm II [Dkt. #57]		
106	Transcript of Evidentiary Hearing – Day 1		
107	Transcript of Evidentiary Hearing – Day 2		
108	Feb. 3, 2022 Report re: seizure of Kershner's computer [NYAG_PI_0000110]		
109	Memorandum from Isaacson re: Seizure and transport of Kershner's computer [NYAG_PI_0000105]		
110	Feb. 7, 2022 Consent to Search [NYAG_PI_0000109]		
111	April 10, 2023 Letter from Arizona State University President Michael M. Crow to Charlie Kirk [Attachment 7 to Ex. 99]		

Dated: September 27, 2023

Barry N. Covert, Esq.  
LIPSITZ GREEN SCIME  
CAMBRIA LLP  
42 Delaware Ave.; Ste. 120  
Buffalo, NY 14202  
Phone: (716) 849-1333  
Email: bcovert@lglaw.com

Respectfully submitted,

/s/ Joshua T. Bleisch  
Joshua T. Bleisch\*  
D.C. Bar No. 90001269  
Robert Corn-Revere\*  
D.C. Bar No. 375415  
FOUNDATION FOR INDIVIDUAL  
RIGHTS & EXPRESSION  
700 Pennsylvania Ave. SE, Ste. 340  
Washington, DC 20003  
Tel: (215) 717-3473  
Email: josh.bleisch@thefire.org  
Email: bob.corn-revere@thefire.org

Adam B. Steinbaugh\*  
CA Bar No. 304829  
Kelley Bregenzer  
NY Bar No. 5987482  
FOUNDATION FOR INDIVIDUAL  
RIGHTS & EXPRESSION  
510 Walnut St.; Ste. 1250  
Philadelphia, PA 19106

Tel: (215) 717-3473

Email: adam@thefire.org

Email: kelley.bregenzer@thefire.org

\* Admitted *pro hac vice*.

*Counsel for Plaintiff*